

168.4
PY P9768.4 no.14 1934

Circular No. 14

THE PUBLIC SERVICE COMMISSION
OF THE
COMMONWEALTH OF PENNSYLVANIA

RULES AND REGULATIONS
GOVERNING THE
Form and contents, manner of presentation
and method of justification of

APPLICATIONS FOR EXCEPTIONS TO THE
PROHIBITIONS OF SECTION 9 (a) OF
ARTICLE III OF THE ACT OF JULY 26,
1913, P.L. 1374, AS AMENDED BY THE
ACT OF DECEMBER 11, 1933, P.L. _____
(ACT NO. 10)

ISSUED BY
ORDER OF THE COMMISSION

Effective February 20, 1934.

Harrisburg, Pennsylvania.

P-38.39
14



Application by a common carrier for exceptions to the prohibitions of Section 9 (a) of Article III of the Act of July 26, 1913, P. L. 1574, as amended by the Act of December 11, 1933 P.L. _____, (Act No. 10), pertaining to intermediate rates and aggregates of intermediate rates, shall be by petition, which shall contain the information called for in the form and the accompanying instructions prescribed by the Commission and set forth in Appendix A of this circular.

Appendix A

Information to be furnished in petitions for relief from the provisions of Section 9

(a) of Article III of

The Public Service Company Law

The Public Service Company Law Section 9 (a) of Article III provides in part that upon application to the Commission, common carriers may, in special cases, after investigation, be granted by the Commission exceptions to the prohibitions contained in said section. The burden is upon the applicants to demonstrate that the exceptions should be granted from the provisions of this section.

In order to ~~facilitate~~ the consideration and determination of petitions under this section, and under the authority contained in Article V of The Public Service Company Law, the following general rules shall govern as to the form and contents, the manner of presentation, and the method of justification of said petitions:

I. Separate petitions shall be made for relief as to freight rates and passenger fares.

II. Separate petitions shall be made for relief under the long-and-short-haul provision and for relief from the aggregate-of-intermediates provision.

III. Each petition must be over the personal signature of an executive officer, a responsible traffic officer, or a duly authorized attorney and agent, specifying his title, and sworn to before a notary public or other officer authorized by law to certify written instruments. In addition to the original verified petition three copies thereof shall be furnished.

IV. All petitions shall show the names of the carriers for or on whose behalf they are made, or, if made on behalf of all carriers parties to a particular tariff, may refer by P.S.C. Pa. number to the said tariff.

V. In referring to rates, fares, or charges the P.S.C. Pa. numbers of the tariffs in which said rates, fares, or charges are published shall be shown.

VI. All petitions shall show: ---

1. The rates, fares, or charges proposed to be established, and articles or classes upon which they are to apply, the points of origin and destination, and the routes between the said points over which the said rates, fares, or charges will be applicable. Where relief is desired from "related" points or "group" points the points or groups should be defined and indicated on the map hereinafter required to be furnished.

2. The immediate points at which it is proposed to maintain rates, fares, or charges higher than those proposed between more distant points and rates, fares, or charges at such points.

3. A complete and accurate statement of the grounds relied upon in justification of the relief prayed.

VII. Petitioners for relief from the long-and-short-haul provision should be prepared to show at hearings in support of their applications the information outlined below. If a hearing is not desired, this information must be included in the petition. It is not



Digitized by the Internet Archive
in 2017 with funding from

This project is made possible by a grant from the Institute of Museum and Library Services as administered by the Pennsylvania Department of Education through the Office of Commonwealth Libraries

to be understood that where such information is included hearings will not be held in all cases. It is the uniform practice of the commission to hold hearings upon the request of any interested party.

1. That the rates which it is desired to establish or maintain are compelled rates and lower than reasonable rates for application via the petitioning line or route and not within its control.

2. That the lower rates for longer than for shorter hauls over the same line or route are reasonably compensatory.

The following information is considered pertinent in a showing as to the reasonably compensatory nature of rates:

(a) Statement of ton-mile, car-mile, and per-car earnings under the competitive rates.

(b) Average revenue per ton-mile, car-mile, and per car on revenue freight traffic hauled over petitioning lines and average haul of revenue freight.

(c) Approximate average cost per ton-mile, car-mile, and per car of hauling revenue freight over petitioning lines.

(d) Approximate average cost per ton-mile, car-mile, and per car of hauling added traffic over petitioning lines.

(e) Traffic density.

3. A statement of rates at representative intermediate points at which rates exceed or would exceed the rates at competitive points, including rates at the highest and lowest rated intermediate points and the distances to and from all of the said intermediate points, together with a statement of ton-mile, car-mile, and per-car earnings under the rates to and from such representative intermediate points.

4. That the higher rates for the shorter than for the longer hauls over the same line or route are reasonable. (The usual facts tending to show the reasonableness of rates should be presented).

5. Whether there is a complaint pending as to the reasonableness of the rates at the intermediate points on the petitioning line or route.

VIII. In addition to the matters required in Section VII hereof to be shown, the following should ~~also~~ be shown where applications are based upon the grounds indicated:

1. Applications based on circuitry:

(a) That the transportation of the competitive traffic via the petitioning route and the diversion of such traffic from the rate-making and other routes would

not constitute wasteful transportation, considering the degree of circuitry and the respective financial conditions of the competing carriers. The following are considered pertinent facts:

(1) The financial condition of the petitioning line as compared with that of the competing lines.

(2) Traffic density on the petitioning line as compared with the competing lines.

(3) The number of routes in operation between the competitive points.

(b) The distances over the petitioning and rate-making lines or routes and the percentages of circuitry. (Where the petitioning route is a water-and-rail route, the prorating mileage of the water carrier or the rail mileage to which the water haul is equivalent should be given.)

(c) Whether the rates over the direct or rate-making line conform to Section 9 (a) of Article III.

A difference of but a few miles in distance is not of itself considered as placing a carrier at such a disadvantage as to warrant relief from the fourth section to charge higher rates at intermediate points, but the line or route requesting relief must be shown to be circuitous to a marked degree, usually not less than 15 percent longer than the short line.

2. Applications based on water competition:

(a) The names of the water lines and the number of steamers or vessels actually plying between the water points and their tonnage capacity or capacities.

(b) The service over the water lines as compared with that over the petitioning rail lines, and whether the commodities as to which relief is sought are adapted to transportation by water.

(c) The volume of the traffic involved moving over the water lines and also over the rail lines between the same points.

(d) The charges over the water lines, including marine insurance, wharfage, handling, and other incidental charges.

3. Applications based on market competition:

(a) The names of the competitive producing points.

(b) The distances over the direct lines or routes from the various producing points to the common market and the names of the lines or routes over which such distances are made.

(c) Whether the rates from the other producing points conform to the provisions of Section 9 (a) of Article III.

(d) The volume of traffic involved.

(e) Whether similar competition is to be met at intermediate markets.

4. Applications based upon the weak financial condition or high operating costs of the petitioning line.

(a) Financial statistics and operating conditions.

(b) Same information as required in applications based on circuitry.

IX. Miscellaneous provisions:

1. In addition to the above-indicated information, any other circumstances which are relied upon as constituting a special case within the meaning of the law warranting exceptions should be shown.

2. Five copies of a map should be submitted showing the relative location of the various lines or routes, the competitive points, and representative intermediate points at which higher rates are to be charged; also two copies of exhibits.

3. The fact that a point is a large producing or consuming market and that intermediate points are not consuming or producing points is not considered by the commission as a sufficient reason for the granting of exceptions.

4. Applications which upon analysis are found to contain incomplete and inaccurate or unreliable data will

be denied forthwith without prejudice to the filing of a new application.

5. If the commission denies an application and the carrier presents a new application based upon new or additional facts in justification of the proposed rates, fares, or charges, such facts should be clearly indicated as such, and the modified application must specifically refer to the previous application and the number of the order denying the same.

6. Applications should be in the following form, on a durable quality of paper, not larger than $8\frac{1}{2}$ by 13 inches.

(use one side only)

Intermediate Rate) Commission's No.
Petition.)
) To be filled in
) by commission
)
) Carrier's No.
) To be filled in by
) carrier

_____, 19 _____.
(Place and date)

To The Public Service Commission of
the Commonwealth of Pennsylvania,
Harrisburg, Pa.

The (name of carrier) (see note), by (name of officer or agent), its (official title), hereby petitions The Public Service Commission for authority to establish rates (or fares or charges or classifications) hereinafter set forth without observing the long-and-short-haul (or aggregate-of-intermediates) provision of Section 9 (a) of Article III of The Public Service Company Law:

Note:- If rates are to apply over lines of more than one carrier, petition should show that it is made for and on behalf of all of such carriers, naming them, or if made for and on behalf of all carriers parties to a particular tariff, reference may be made by P.S.C.-Pa. number to the said tariff for the names of such carriers.

I.

(State fully the rates, fares, charges, etc.

which it is desired to establish, the routes over, and

1. The first part of the paper is devoted to a general discussion of the problem.

2. In the second part, we consider the case of a single particle.

3. The third part is devoted to the case of a system of particles.

4. In the fourth part, we consider the case of a continuous medium.

5. The fifth part is devoted to the case of a system of continuous media.

6. In the sixth part, we consider the case of a system of particles and continuous media.

7. The seventh part is devoted to the case of a system of particles and continuous media.

8. In the eighth part, we consider the case of a system of particles and continuous media.

9. The ninth part is devoted to the case of a system of particles and continuous media.

10. In the tenth part, we consider the case of a system of particles and continuous media.

11. The eleventh part is devoted to the case of a system of particles and continuous media.

12. In the twelfth part, we consider the case of a system of particles and continuous media.

the articles or classes upon, which they are to apply,
and names or description of the points of origin and
destination. See Note A.)

II.

(State fully names or description of inter-
mediate points at which it is desired to maintain high-
er rates, fares, or charges and the rates, fares, or
charges at such points or a sufficient number of such
points to illustrate the situation, including the points
at which the highest and lowest rates, fares, or charges
in excess of those at more distant points would apply.
Distances between all points shown should be included
in this statement. See Note A.)

III. This application is based upon the follow-
ing facts which present all of the circumstances and
conditions relied upon by your petitioner in justifica-
tion of the relief herein prayed:

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes the need for transparency and accountability in financial reporting.

2. The second part of the document outlines the various methods and techniques used to collect and analyze data. It includes a detailed description of the experimental procedures and the statistical analysis performed.

3. The third part of the document presents the results of the study. It includes a series of tables and graphs that illustrate the findings of the research. The data shows a clear trend of increasing activity over time.

4. The fourth part of the document discusses the implications of the findings. It suggests that the results have significant implications for the field of study and may lead to further research in this area.

5. The fifth part of the document concludes the study. It summarizes the key findings and provides a final statement on the importance of the research. The author expresses gratitude to the funding agency and the participants.

6. The sixth part of the document includes a list of references. It cites the works of other researchers in the field, providing a context for the current study. The references are listed in alphabetical order.

7. The seventh part of the document includes a list of appendices. It provides additional information that supports the main text of the document. The appendices are labeled A through D.

8. The eighth part of the document includes a list of figures. It provides a visual representation of the data presented in the study. The figures are labeled 1 through 5.

9. The ninth part of the document includes a list of tables. It provides a detailed breakdown of the data presented in the study. The tables are labeled 1 through 3.

10. The tenth part of the document includes a list of equations. It provides the mathematical formulas used in the study. The equations are labeled 1 through 4.

11. The eleventh part of the document includes a list of definitions. It provides clear and concise definitions for the key terms used in the study. The definitions are labeled 1 through 5.

12. The twelfth part of the document includes a list of acknowledgments. It expresses gratitude to the individuals and organizations that supported the study. The acknowledgments are labeled 1 through 3.

13. The thirteenth part of the document includes a list of footnotes. It provides additional information that is not included in the main text of the document. The footnotes are labeled 1 through 5.

14. The fourteenth part of the document includes a list of references. It cites the works of other researchers in the field, providing a context for the current study. The references are listed in alphabetical order.

15. The fifteenth part of the document includes a list of appendices. It provides additional information that supports the main text of the document. The appendices are labeled A through D.

16. The sixteenth part of the document includes a list of figures. It provides a visual representation of the data presented in the study. The figures are labeled 1 through 5.

17. The seventeenth part of the document includes a list of tables. It provides a detailed breakdown of the data presented in the study. The tables are labeled 1 through 3.

18. The eighteenth part of the document includes a list of equations. It provides the mathematical formulas used in the study. The equations are labeled 1 through 4.

(Make a complete and accurate statement as to the

necessity for the proposed changes and all of the cir-

cumstances and conditions relied upon as justifying the

relief prayed. See Note A.)

IV.

(Give specific reference to any proceeding

pending before or which has been adjudicated by the

commission, by docket number, and report citation, if

any, which may have any bearing upon or be in any wise

related to the rates, etc., sought to be established.

If none, state that fact.)

Note. A.- When more convenient, this information
may be given in an exhibit or exhibits and here referred
to "As stated in exhibit or exhibits _____
attached to and made a part hereof." Information re-
quired under each numbered section should be shown in a
separate exhibit.

(Corporate name of petitioning carrier)

BY

(Personal signature of officer)

(Title of officer)

THE UNIVERSITY OF CHICAGO

DEPARTMENT OF THE HISTORY OF ARTS

INSTITUTE OF THE HISTORY OF ARTS

INSTITUTE OF THE HISTORY OF ARTS

INSTITUTE OF THE HISTORY OF ARTS

INSTITUTE OF THE HISTORY OF ARTS

INSTITUTE OF THE HISTORY OF ARTS

INSTITUTE OF THE HISTORY OF ARTS

INSTITUTE OF THE HISTORY OF ARTS

INSTITUTE OF THE HISTORY OF ARTS

INSTITUTE OF THE HISTORY OF ARTS

INSTITUTE OF THE HISTORY OF ARTS

INSTITUTE OF THE HISTORY OF ARTS

INSTITUTE OF THE HISTORY OF ARTS

INSTITUTE OF THE HISTORY OF ARTS

INSTITUTE OF THE HISTORY OF ARTS

INSTITUTE OF THE HISTORY OF ARTS

Signed and dated this _____

day of _____, 193_____

Commonwealth of Pennsylvania,)
County of) ss:

Personally appeared before me, a Notary Public in
and for said County and State _____,
who being duly sworn according to law, doth depose and
say, that the facts contained in the foregoing petition
are true and correct to the best of his knowledge and
belief.

(Personal signature of officer)

Sworn and subscribed before me

this _____ day of _____ 193_____

Notary Public

My Commission expires

_____, 193_____

Commonwealth of Pennsylvania, ss:

I do hereby certify that the foregoing is a true and correct copy of Circular No. 14 of the Public Service Commission of the Commonwealth of Pennsylvania on the above-stated subject adopted this 20th day of February, 1954.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal of the Public Service Commission of the Commonwealth of Pennsylvania, this 20th day of February, 1954.

(Signed) Louis Tevell

(SEAL)

Secretary.

Continuation of Pennsylvania, as:

1. The Pennsylvania State

2. The Pennsylvania State

3. The Pennsylvania State

4. The Pennsylvania State

5. The Pennsylvania State

6. The Pennsylvania State

7. The Pennsylvania State

8. The Pennsylvania State

9. The Pennsylvania State

10. The Pennsylvania State

11. The Pennsylvania State

12. The Pennsylvania State

13. The Pennsylvania State

14. The Pennsylvania State

15. The Pennsylvania State

16. The Pennsylvania State

17. The Pennsylvania State

18. The Pennsylvania State

19. The Pennsylvania State

20. The Pennsylvania State

21. The Pennsylvania State